

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Newport News Division**

CHESAPEAKE BANK,

Plaintiff,

v.

STUART D. BERGER, et al.,

Defendants.

Case No. 4:14-cv-66-RAJ

**NOTICE OF DESIGNATION OF KEITH M. NORTHERN
AS AUTHORIZED REPRESENTATIVE OF DEBTORS**

On January 30, 2015, the United States Bankruptcy Court for the Southern District of Texas (the “Bankruptcy Court”) entered an *Order: (I) Vacating Oral Order Granting Motion to Appoint a Chapter 11 Trustee; (II) Denying Motion to Appoint a Chapter 11 Trustee; and (III) Designating Keith M. Northern as Sole and Exclusive Representative of Debtors-in-Possession* (the “Bankruptcy Court Order”) (Doc. No. 62), in Case No. 15-30313, which is the main case of the jointly administered chapter 11 bankruptcy proceedings of Berger Properties of Texas, LLC, Berger Properties of Ohio, LLC, Berger Properties of Maryland, LLC, Berger Properties of Florida, LLC, S & D Unlimited, LLC, S & D Unlimited of Texas, LLC and The Unlimited Group, Inc. (collectively, the “Debtors”). A true and correct copy of the Bankruptcy Court Order is attached hereto as Exhibit A.

As set forth in the Bankruptcy Court Order, Keith M. Northern has been recognized as the sole and exclusive managing member, corporate officer and representative of each of the Debtors, and has been designated to act as debtor-in-possession for each of the Debtors under 11

U.S.C. § 101, *et al* (the “Bankruptcy Code”). Mr. Northern intends to discharge his responsibilities as the Debtors’ representative in accordance with the Bankruptcy Court’s orders and applicable provisions of the Bankruptcy Code.

THOMPSON HINE LLP

By: /s/ Eric Heyer

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of February, 2015, I caused a true and correct copy of the foregoing to be filed with the Clerk via the Court's ECF/ECM system, and service to be electronically effected on all counsel of record. I further certify that on this 5th day of February, 2015, a true and accurate copy of the foregoing was served by first class mail, postage prepaid, on the following:

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